UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1997/L.3
18 March 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 4

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Algeria, Bahrain*, Bangladesh, China, Cuba, Egypt, Indonesia, Jordan*, Malaysia, Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*, Tunisia*, Yemen*: draft resolution

1997/... Question of the violation of human rights in the occupied Arab territories, including Palestine

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, as well as by the provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Taking into consideration the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the provisions of Additional Protocol I thereto, and the Hague Convention IV of 1907,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling the resolutions of the Security Council, the General Assembly and the Commission on Human Rights related to the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian territories, including Jerusalem, and other occupied Arab territories,

Recalling also the General Assembly resolutions on Israeli violations of human rights in the Palestinian occupied territories, since 1967 and until now,

Recalling further the provisions of the Vienna Declaration and Programme of Action (A/CONF.157/23), adopted by the World Conference on Human Rights in June 1993,

Taking note of the report (E/CN.4/1997/16) of the Special Rapporteur, Mr. Hannu Halinen, regarding his mission undertaken in accordance with Commission resolution 1993/2 A of 19 February 1993,

Taking note also of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories submitted to the General Assembly since 1968, including the latest (A/51/99/Add.2),

Noting with great concern the continued Israeli refusal to abide by the resolutions of the Security Council, the General Assembly and the Commission on Human Rights calling on Israel to put an end to the violations of human rights and affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian and other Arab Territories occupied by Israel since 1967, including Jerusalem,

Welcoming anew, the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization on 13 September 1993 and of the following agreements, whereby violations of human rights will end through the implementation of these agreements and the full withdrawal of Israeli forces from the occupied Palestinian territories, including Jerusalem,

Recalling all its previous resolutions on the subject, including the latest, resolution 1996/3 of 11 April 1996,

1. Condemns the continued violations of human rights in the occupied Palestinian territories since the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the

Palestine Liberation Organization on 13 September 1993, in particular the continuation of acts of killing, the detention of thousands of Palestinians without trial, the continuation of the confiscation of lands, the extension and the establishment of Israeli settlements, the confiscation of property of Palestinians and expropriation of their land, and calls upon Israel to cease these acts immediately;

2. Also condemns the opening of a tunnel under the Al Aqsa mosque, the establishment of an Israeli settlement on Jabal Abu Ghenaim in occupied Arab Jerusalem, the revocation of identity cards of the citizens of the Palestinian city of Jerusalem and forcing them to live outside their home with the aim of the Judaization of Jerusalem, and calls upon the Government of Israel to close the tunnel and to immediately put an end to these practices;

3. Further condemns the use of torture against Palestinians during interrogation, which the Israeli High Court of Justice has legitimized, and calls upon the Government of Israel to refrain immediately from the current interrogation practices and to work on abolishing the above-mentioned legitimization;

4. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and considers any change in the geographic and demographic status of the city of Jerusalem from its situation prior to the June 1967 war to be illegal and void;

5. Calls upon Israel to cease immediately its policy of enforcing collective punishments, such as demolition of houses and closure of the Palestinian territory, a measure which threatens thousands of Palestinians with hunger and endangers their lives;

6. Calls once more upon Israel, the occupying Power, to desist from all forms of violation of human rights in the Palestinian and other occupied Arab territories and to respect the bases of international law, the principles of international humanitarian law and its commitments to the provisions of the Charter and resolutions of the United Nations;

7. Also calls upon Israel to withdraw from the Palestinian territories, including Jerusalem, and the other occupied Arab territories in accordance with the relevant resolutions of the United Nations and the Commission on Human Rights;

8. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations, to disseminate it on the widest possible scale, and to report on its implementation by the Government of Israel to the Commission on Human Rights at its fifty-fourth session;

9. Also requests the Secretary-General to provide the Commission on Human Rights with all United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation;

10. Decides to consider the question at its fifty-fourth session, as a matter of high priority.